

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

THEODORE TRAPP,

Plaintiff,

vs.

BIG POPPA'S, LLC, et al.,

Defendants.

Case No. 2:09-cv-00995-LDG-PAL

**ORDER**

(Mtn to Withdraw - Dkt. #251)

This matter is before the court on the Motion to Withdraw as Attorney of Record (Dkt. #251) filed June 15, 2011. John A. Curtas seeks to withdraw as counsel of record for Defendant La Fuente, Inc. d/b/a Cheetah's. The Motion represents that the attorney client relationship has deteriorated, and counsel is unable to provide effective representation. Local Rule IA 10-6 provides that "no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result." The Complaint in this case was filed on June 2, 2009. The court denied a prior motion to withdraw (Dkt #248) without prejudice because the Certificate of Service did not reflect that the Defendant had been served with the motion. Counsel has now provided the Defendant's last known address and a Certificate of Service.

Having reviewed and considered the matter, and for good cause shown,

**IT IS ORDERED:**

1. The Motion to Withdraw as Attorney of Record (Dkt. #251) is GRANTED.
2. A corporation cannot appear except through counsel. *U.S. v. High Country Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993); *Rowland v. California Men's Colony*, 506 U.S. 194, 201-02 (1993). Therefore, Defendant La Fuente, Inc. d/b/a Cheetah's shall have until **July 25, 2011**, in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice.

3. Failure to comply with this order may result in a recommendation to the District Judge for sanctions, including case-dispositive sanctions.

4. The Clerk of Court shall serve a copy of this Order on Defendant La Fuente, Inc. d/b/a Cheetah's at:

La Fuente, Inc.  
713 E. Ogden Ave.  
Las Vegas, NV 89101

Dated this 24th day of June, 2011.

  
PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE